



HOUSE BILL 395: HIE Deadline Extension & Enforcement.

2021-2022 General Assembly

Committee:	House Health. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 12, 2021
Introduced by:	Reps. Sasser, Potts, K. Baker, Wray	Prepared by:	Theresa Matula
Analysis of:	PCS to First Edition H395-CSSH-16		Committee Staff

OVERVIEW: *The PCS for HB 395 would extend the mandatory deadline for certain entities to connect to the Health Information Exchange (HIE) Network known as NC HealthConnex, and adds the content of HB 179 which would require a civil penalty to any provider or entity that fails to connect.*

BILL ANALYSIS:

Section 1 of the PCS for H 395 would do the following:

- Extend the connection deadline for most providers of Medicaid and State-funded health care services until October 1, 2022 (currently October 1, 2021).
- Extend the connection deadline for ambulatory surgical centers, dentists, psychiatrists and the State Laboratory of Public Health until June 1, 2022 (currently June 1, 2021).
- Extend the connection deadline for pharmacies and State health care facilities operated under the Secretary of the Department of Health and Human Services (State psychiatric hospitals, developmental centers, alcohol and drug treatment centers, neuro-medical treatment center, and residential programs) until June 1, 2022 (currently June 1, 2021).

Section 2 (a) of the PCS for H 395 would authorize the HIE Authority to assess a civil penalty of \$10 per claim to any provider or entity that fails to connect and to submit demographic and clinical data information through the HIE Network. Within 30 days of receiving the civil penalty assessment the provider or entity must 1) pay the civil penalty; 2) contact the HIE Authority to execute a participation agreement; 3) contact the Department of Information Technology to request and exemption in accordance with the extensions of time for establishing connection to the HIE Network (G.S. 90-414.4(a2)); or 4) file a petition for a contested case with the Office of Administrative Hearings. **Section 2(b)** of the PCS would add the authority to assess civil penalties to the powers and duties of the North Carolina Health Information Exchange Authority.

EFFECTIVE DATE: Section 2 of the bill would become effective October 1, 2022, and apply to violations occurring on or after that date. The remainder of the bill would become effective when it becomes law.

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